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Editorial: Reform Michigan's sex offender list

Removing experimenting teens from sexual criminal registry is reasonable and just

THE DETROIT NEWS

The Michigan Senate has adopted necessary reforms making Michigan's sex offender registry less brutal and stigmatizing to teenagers. The reforms ought to be quickly adopted by the state House.

We have long argued that the state's sex offender registry is too all-inclusive and damaging to the life chances of teenagers engaged in consensual sexual experimentation.

Currently, all those are placed on the list must remain on it for 25 years. This includes youths who have been convicted of statutory rape after engaging in consensual sex with an underage partner. The age of consent is 16.

A 17-year-old who has intercourse with his 15-year-old girlfriend, if convicted of statutory rape, in which consent is not at issue, can now find himself on a list with rapists and child molesters.

The Legislation adopted by the Senate would prevent such teens from being listed, as long as there is no more than four years between the ages of those engaged in consensual sexual activity and neither of the partners is younger than 13 years of age.

The legislation does not legalize underage sex; the age of consent remains at 16. And those convicted of statutory rape would still have to be on a police list for a period of time. Underage sex, after all, remains a bad idea.

The point of a public sex offender list, we have argued, is to alert citizens to the fact that a convicted sexual predator is in their midst.

It is not to stigmatize for decades young people who have not engaged in a predatory act.

We and the American Civil Liberties Union have been arguing for such reforms for years. But despite efforts by some reasonable lawmakers, their colleagues have balked.

The sponsor of the bills is Sen. Rick Jones, R-Grand Ledge, who noted that federal legislation has spurred this move to change state law.

The federal Adam Walsh Act requires with public sex offender lists to have a tiered process, in which people convicted of lesser, non-assaultive offenses would not be on the public list and could petition to have their names removed from the police list after 10 years.

More serious offenders would be on the public list for 25 years and have to report their whereabouts to the police twice a year.

The most serious offenders would be on the public list for life and have to report every three months.

Penalties for failure to report would be increased. Currently, failure to report in a timely way only becomes a prison offense after the third or fourth such failure.

This legislation makes it a possible jail offense to fail to report a first time.

The catalyst for states revising their lists to conform to federal legislation is the disbursement of federal law enforcement grants.

In Michigan, about \$1.2 million is at stake.

This would have been sensible legislation without federal prodding, but if it takes an incentive for it to pass, so be it.

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